



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

No. 02-17-00188-CR

EX PARTE CHARLES BARTON

§ On Appeal from County Criminal  
Court No. 8

§  
of Tarrant County (1314404)

§  
October 3, 2019

§  
Opinion by Chief Justice Sudderth

§  
(p)

**JUDGMENT ON REHEARING**

After reviewing the State's motion for rehearing, we deny the motion. We withdraw our August 8, 2019 opinion and judgment and substitute the following.

This court has considered the record on appeal in this case and holds that there was error in the trial court's judgment. It is ordered that the judgment of the trial court is reversed, and this case is remanded to the trial court to enter an order dismissing the prosecution of charges against Barton on alleged violations of section 42.07(a)(7) of the Texas Penal Code.

SECOND DISTRICT COURT OF APPEALS

By /s/ Bonnie Sudderth  
Chief Justice Bonnie Sudderth